Customer Number: 20277 98 98 98

UTILITY PATENT APPLICATION UNDER 37 CFR 1.53(b)

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

INVENTOR: Takayuki NAKAMOTO, Yasuhiko BITO

FOR: NEGATIVE ELECTRODE ACTIVE MATERIAL AND NON-AQUEOUS

ELECTROLYTE RECHARGEABLE BATTERY USING THE SAME

| Enclose | ed are: |
|-------------|---|
| \boxtimes | 45 pages of specification, claims, abstract. |
| | Declaration and Power of Attorney. |
| \boxtimes | Priority Claimed. |
| | Certified copy of Japanese Patent Application No. 2003-099523 |
| | 1 sheets of formal drawing. |
| | An assignment of the invention to |
| | and the assignment recordation fee. |
| | An associate power of attorney. |
| | Information Disclosure Statement, Form PTO-1449 and references. |
| \boxtimes | Return Receipt Postcard |

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Michael E. Fogarty

Registration No. 36,139

600 13th Street, N.W. Washington, DC 20005-3096 (202) 756-8000 MEF:prg Facsimile: (202) 756-8087

Date: April 2, 2004